

**ALLEGED SHIPMENT:** On or about April 11 and June 3, 1944, from the State of Utah into the State of Idaho.

**LABEL, IN PART:** "Claudia Hand Rolled Chocolates," "Assorted Nougat Kisses \* \* \* Net Weight 1 Lb.," "Carlston's English Humbugs \* \* \* Net Contents: 1 Lb.," or "Peanut Brittle."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect body parts, an entire insect, rodent hairs, a hair resembling a rodent hair, cat or dog hairs, and feather fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

Misbranding, Section 403 (e) (2), ("Nougat Kisses" and "Humbugs") the products failed to bear labels containing an accurate statement of the quantity of the contents in terms of weight, since the boxes were labeled "Net Weight 1 Lb." or "Net Contents 1 Lb." and contained less than 1 pound net weight.

**DISPOSITION:** February 24, 1945. A plea of guilty having been entered, a fine of \$10 on each of counts 1 and 2 and \$20 on each of counts 3, 4, 5, and 6, a total of \$100, was imposed.

**7990. Adulteration and misbranding of candy. U. S. v. Blum's Confectionery. Plea of nolo contendere. Fine, \$100.** (F. D. C. No. 12613. Sample Nos. 55841-F to 55843-F, incl., 71209-F, 76905-F.)

**INFORMATION FILED:** January 11, 1945, Northern District of California, against Blum's Confectionery, a partnership, San Francisco, Calif.

**ALLEGED SHIPMENT:** On or about March 2 and 4, 1944, from the State of California into the States of Oregon and New York.

**LABEL, IN PART:** "Made Exclusively For The U. S. Armed Forces By Blum's," "Our Own Special Assortment By Blum's," "Your Own Special Selection By Blum's," or "Hattie Blum."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, rodent and cat hairs, and hairs resembling rodent and cat hairs; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

Misbranding (portion), Section 403 (e) (1), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), it failed to bear an accurate statement of the quantity of the contents; and, Section 403 (i) (1), its label failed to bear the common or usual name of the food and, Section 403 (i) (2), the common or usual name of each of the ingredients.

**DISPOSITION:** March 2, 1945. A plea of nolo contendere having been entered, the defendant was fined \$25 on each of 4 counts.

**7991. Misbranding of candy. U. S. v. Fox Inter-Mountain Amusement Corporation. Plea of nolo contendere. Fine, \$450.** (F. D. C. No. 14251. Sample Nos. 58253-F, 58257-F, 58260-F, 58262-F, 69089-F, 69091-F, 69153-F, 69256-F, 69409-F.)

**INFORMATION FILED:** January 2, 1945, District of Colorado, against the Fox Inter-Mountain Amusement Corporation, Denver, Colo.

**ALLEGED SHIPMENT:** Between the approximate dates of May 9 and June 2, 1944, from the State of Colorado into the States of Wyoming, Montana, and Idaho.

**LABEL, IN PART:** "Star Chocolate Clusters [or "Almond Mibs," "Licorice Cogs," or "Chocolate Coated Peanuts"] Contents 2½ Ozs. [or "Net Wt. 2½ Oz.]."

**VIOLATION CHARGED:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents, since the bags contained less than 2½ ounces of candy.

**DISPOSITION:** March 5, 1945. A plea of nolo contendere having been entered on behalf of the defendant, a fine of \$50 on each of 9 counts was imposed.

**7992. Adulteration of candy. U. S. v. 941 Cases, 919 Cases, and 260 Cases of Candy. Consent decrees of condemnation. Product ordered released under bond.** (F. D. C. Nos. 11165, 11594. Sample Nos. 55943-F, 55945-F, 55966-F.)

**LIBELS FILED:** December 28, 1943, and January 15, 1944, Western District of Washington.

**ALLEGED SHIPMENT:** On or about September 1 and 22, 1943, by Westfeldt Bros. and Mississippi Shipping Line, New Orleans, La.

**PRODUCT:** 1,201 cases, each containing 50 6¼-ounce bars, and 919 cases, each containing 108 6¼-ounce bars, of candy at Seattle, Wash.

**LABEL, IN PART:** "Rubine Brand Cocoa Confection \* \* \* United States Distributors: Cuban American Products Co. Inc. New York."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs and insect fragments.

**DISPOSITION:** March 19, 1945. Safeway Stores, Inc., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond to be processed into animal feed or otherwise destroyed under the supervision of the Federal Security Agency.

**7993. Adulteration of candy. U. S. v. 12 Boxes and 37 Boxes of Candy. Default decree of condemnation and destruction.** (F. D. C. Nos. 13930, 13931. Sample Nos. 73281-F, 73282-F.)

**LIBEL FILED:** October 7, 1944, Northern District of California.

**ALLEGED SHIPMENT:** On or about January 31 and February 21, 1944, by Charlotte Charles, from Chicago, Ill.

**PRODUCT:** 49 1½-pound boxes of candy at San Francisco, Calif.

**LABEL, IN PART:** "Empress Eugenie's Favorite Sherry Pralines The Original French."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of larvae, webbing, and insect excreta.

**DISPOSITION:** March 3, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**7994. Adulteration of candy. U. S. v. 346 Boxes of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 13826. Sample No. 65778-F.)

**LIBEL FILED:** September 26, 1944, Southern District of New York.

**ALLEGED SHIPMENT:** On or about July 24, 1944, by P. L. Langlois, New Orleans, La.

**PRODUCT:** 346 boxes, each containing 24 bars, of candy at New York, N. Y.

**LABEL, IN PART:** (Boxes) "5¢ Orchard Bars Mercury Candy Co. New York."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils, insect excreta, and webbing.

**DISPOSITION:** October 23, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### MISCELLANEOUS SACCHARINE PRODUCTS

**7995. Adulteration of chocolate coating. U. S. v. 297 Cases of Chocolate. Tried to the court. Judgment for the Government. Decree of condemnation and destruction.** (F. D. C. No. 14174. Sample No. 89734-F.)

**LIBEL FILED:** On or about November 2, 1944, Eastern District of Missouri.

**ALLEGED SHIPMENT:** Between the approximate dates of December 9, 1943, and March 24, 1944, from Mansfield, Mass.

**PRODUCT:** 297 cases, each containing 5 10-pound bars, of chocolate coating, at St. Louis, Mo., in the possession of the St. Louis Terminal Warehouse No. 3. This product had been stored under insanitary conditions after shipment. It had been rodent-gnawed, and rodent pellets were observed in the cases. Examination showed that the product contained larvae, and insect and rodent excreta.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** April 25, 1945. The Tauber Candy Co., St. Louis, Mo., having appeared as claimant, the case was tried to the court. After hearing the evidence, the court found the product adulterated as alleged in the libel and ordered it condemned and destroyed.